

C1 determined by SDS-PAGE under reducing conditions.

14. (twice amended) A composition according to claim 13 wherein the adjuvant is [Quil A] a saponin.

REMARKS

Claims 1 - 15, 18, 19 and 21 - 32 are pending. Claims 1 - 5, 12 - 15, 19, 27, 28, 30 and 32 were rejected. Claims 6 - 11, 18, 21 - 26, 29 and 31 were withdrawn from consideration. Claims 1 and 14 are amended hereby. Applicants respectfully request favorable reconsideration of the rejections and allowance of the present application in view of the above amendments and following remarks.

The rejection of claims 1 - 5, 12 - 15, 19, 27, 28, 30 and 32 under 35 USC 112, first paragraph, was withdrawn. However, the Examiner stated that the specification and claims do not support variants or natural variants. This is not correct, since on pages 5 - 6 there is support for variants and natural variants. Therefore, Applicants respectfully request that this statement be withdrawn.

The rejection of claims 1 - 5, 12 - 15, 19, 27, 28, 30 and 32 under 35 USC 112, second paragraph, as being indefinite was maintained. Reference is made to an interview dated March 6, 2000 between Examiners' Richard Schwartz and Christina Chan (SPE) and the attorney for Applicants, Mary E. Gormley, wherein the issue regarding the phrase "SDS-PAGE" in pending claim 1 was resolved. It was agreed that the phrase "SDS-PAGE" fulfils the requirements of 35 USC 112, second paragraph.

With respect to the use of "Triton X-114" in claim 1, Applicants have amended claim 1 by introducing the generic term for Triton X-114 based on the manufacturer's (Sigma) product information. In this way the indefiniteness rejection is

traversed.

Furthermore, Applicants amended claim 14 by replacing "Quil A" with "a saponin". Basis for this amendment can be found in the specification at page 19, line 18.

Claims 1 - 5, 12 - 15, 19, 27, 28, 30 and 32 were newly rejected under 35 USC 102(b) as anticipated by Gurnett et al. (EP 0 382 531). The Examiner stated in part that: "Gurnett teach Eimeria proteins which are separable in detergent[t] Triton X114 and migrate to the hydrophobic portion,...". This rejection is respectfully traversed.

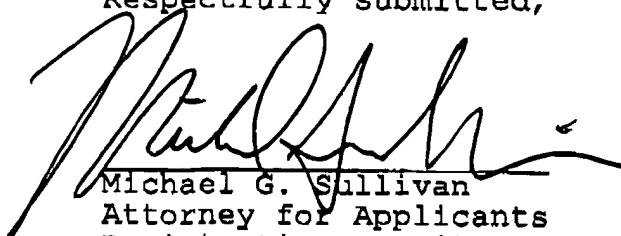
The claimed invention is directed to a composition free of whole Eimeria parasites, which comprises one or more proteins, or fragments thereof, wherein said proteins are present in the hydrophilic (rather than hydrophobic) phase of a Triton X-114 extract of Eimeria sporozoites. Therefore, the Gurnett reference is not an anticipatory reference, and Applicants thus ask that the 35 USC 102(b) rejection be withdrawn.

In view of the remarks above, with the present amendments, it is believed that this application is in condition for allowance. Favorable action is solicited.

Should the Examiner consider that a conference would be helpful in advancing the prosecution of this application, she is invited to contact the undersigned at the number below. In the event this paper is not considered to be timely filed, Applicants hereby petition for the appropriate extension of time.

Any fee for such an extension, along with any other fees due in this application, may be charged to our Deposit Account No. 02-2334.

Respectfully submitted,



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